IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THURSDAY, THE THIRTIETH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE

and
THE HON'BLE SRI JUSTICE C.V.RAMULU

WRIT APPEAL No.1474 of 2004 & WRIT PETITION No.25374 of 2003

WRIT APPEAL No.1474 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 09/04/2003 in W.P.M.P.No.7339 of 2004 in W.P No.25374 of 2003 on the file of the High Court.)

Between:

M/s.Prudential Co.op.Urban Bank Ltd.,

having its Regd.Office at R.P.Road,
Secunderabad rep., by its Managing Director,

Sri S.Satyamurthy, s/o late K.Sunderesan, aged 63 yerars,
R/o B-7, Unit No.2, SBH Colony, Saidabad, Hyderabad.

..... APPELLANT

AND

1 The Co.operative Tribunal, Hyderabad, rep., by its Chairman,
7th Floor, Chandravihar, Nampally, Hyderabad.
2 M/s.Dasari House of Publications Pvt.Ltd.,

Dwarakapuri Colony, Panjagutta, Hyderabad rep.,
by its Managing Director Sri Dasari Narayana Rao,

S/o D.Sai Raju, R/o H.No.6-3-346/6, Dwarakapuri Colony,
Panjagutta, Hyderabad.
3 Dasari Narayana Rao, s/o D.Sai Raju,
R/o H.No.6-3-346/6, Dwarakapuri Colony,

Panjagutta, Hyderabad.
4 D.Venkateswara Rao, S/o D.Sai Raju,
R/o H.No.6-2-55, Surya Colony, Palakole,

West Godavari District.

.....RESPONDENTS

Counsel for the Appellant: Mr.S.ASHOK ANAND KUMAR

Counsel for the Respondent No.1: GP FOR COOPERATION

Counsel for Respondents 2 to 4: Mr. Nandigam Krishna Rao

-

-

-

-

-

-

-

-

-

WRIT PETITION No. 25374 of 2003

Between:

1 M/s.Dasari House of Publications Pvt.Ltd.,

rep.by its Managing Director Sri Dasari Narayana Rao.

2 Dasari Narayana Rao, S/o.Sai Raju,
H.No.6-3-346/6, Dwarakapuri Colony, Panjagutta,
Hyderabad.

3 Dasari Venkateswara Rao, S/o.Sai Raju,
6-3-55, Surya Colony, Palakollu,
W.G.Dist.

..... PETITIONERS

AND

1 The Prudential Coop.Bank Ltd.,

having its registered office at Rashtrapathi Road,

Secunderabad, rep.by its Managing Director.

2 The Cooperative Tribunal, Hyderabad, rep.by its Chairman.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction more particularly one in the nature of writ of certiorari : i) calling for the records pertaining to judgment and Award (decree) in OP No.692/2001 dated 1-7-2003 on the file of the Cooperative Tribunal, Hyderabad; ii) declare the Judgment and Award (decree) in O.P.No.692/2001 dated 1-7-2003 on the file of the Cooperative Tribunal, Hyderabad as illegal, arbitrary and unconstitutional apart from being violative of principles of natural justice and out of jurisdiction and against the settled principles of law and contrary to the facts on record and against the bylaws of the respondent bank consequently; iii) set aside the Judgment and Award (decree) in OP No.692/2001 dt.1-7-2003 on the file of the Cooperative Tribunal, Hyderabad.

Counsel for the Petitioner: Mr.NANDIGAM KRISHANA RAO

Counsel for the Respondent No.1: Mr.S.Ashok Anand Kumar

Counsel for the Respondent No.2: G.P.for Cooperation

The Court made the following :

COMMON JUDGMENT : (Per THE HON'BLE THE CHIEF JUSTICE)

Appeal is by the Bank against an interim order passed in W.P.M.P.No.7339 of 2004 in W.P.No.25374 of 2003.

Learned counsel for writ petitioners (respondents 2 to 4 in appeal) states that he has instructions to withdraw the very writ petition and prays that the writ petition be dismissed as withdrawn. There is no objection for the learned counsel for respondents for withdrawal of writ petition.

Writ Petition No.25374 of 2003 is dismissed as withdrawn.

As a result of dismissal of writ petition, the writ appeal has rendered infructuous and is disposed of as such. No costs.

(DEVINDER GUPTA, CJ)

30th September,2004

(C.V. RAMULU,J)

prk

DEPUTY REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Chairman, Co.operative Tribunal, Hyderabad,
7th Floor, Chandravihar, Nampally, Hyderabad.
2 The Managing Director, Prudential Coop.Bank Ltd.,

Registered office, Rashtrapathi Road,

Secunderabad,

3. 2CCs to G.P. for Cooperation, High Court Buildings, Hyderabad (OUT)

4. 2CD copies